IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

OHNISHI et al. Atty. Ref.: 4496-11; Confirmation No.

Appl. No. 10/553,325 TC/A.U. unknown

Filed: October 17, 2005 Examiner: Unknown

For: PEDESTRIAN NAVIGATION DEVICE, PEDESTRIAN NAVIGATION SYSTEM, PEDESTRIAN NAVIGATION METHOD AND PROGRAM

* * * * * * * * * * * *

April 20, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUBMISSION OF ENGLISH LANGUAGE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

Attached is an English translation of the Written Opinion of the International Search ing Authority (Form PCT/ISA/237) in the above in the corresponding PCT application

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____
Arthur R. Crawford
Reg. No. 25,327

ARC:eaw
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

PATENT COOPERATION TREATY

Translation

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

	Date of mailing *(day/month/year)*
Applicant's or agent's file reference JJP03-9175	FOR FURTHER ACTION See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2004/005367	15.04.2004	17.04.2003

International Patent Classification (IPC) or both national classification and IPC

Applicant

NAVITIME JAPAN CO., LTD.

1. This opinion contains indications relating to the following items:

☒	Box No. I	Basis of the opinion
☐	Box No. II	Priority
☐	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
☐	Box No. IV	Lack of unity of invention
☒	Box No. V	Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
☐	Box No. VI	Certain documents cited
☐	Box No. VII	Certain defects in the international application
☐	Box No. VIII	Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP Facsimile No.	Authorized officer Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2004/005367

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐ a sequence listing

☐ table(s) related to the sequence listing

b. format of material

☐ in written format

☐ in computer readable form

c. time of filing/furnishing

☐ contained in the international application as filed.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2004/005367

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-27	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-27	NO
Industrial applicability (IA)	Claims	1-27	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP 2003-35555 A (Matsushita Electric Industrial Co., Ltd.)
07 February 2003, all pages
Document 2: JP 2002-358007 A (Navitime Japan Co., Ltd.),
13 December 2002, paragraphs 0009 through 0012
Document 3: JP 8-202982 A (Hitachi, Ltd.)
09 August 1996, paragraph 0064, Fig. 20
Document 4: JP 2003-83762 A (Sony Corporation),
19 March 2003, paragraph 0042
Document 5: JP 2002-213981 A (Equos Research Co., Ltd.),
31 July 2002, paragraphs 0032 through 0033
Document 6: JP 11-183183 A (Sony Corporation),
09 July 1999, paragraph 0034

Claims 1, 2, 9 and 10

The inventions relating to claims 1, 2, 9 and 10 do not appear to involve an inventive step based on documents 1, 2 and 3 cited in the ISR. Document 1 does not disclose technical means such as map information storage means for storing map information received from a server providing navigation information, and vibration means for generating guide vibration. However, document 2 describes a pedestrian navigation device comprising technical means for storing map information received from a server providing navigation information, and document 3 describes technical means for outputting guide information by vibration. The inventions of documents 1 through 3 belong to closely related technical fields; therefore, applying technical means described in document 2 and technical means described document 3 respectively to map storage means and vibration means described in document 1 could be easily conceived of by a party skilled in the art.

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of V.2:

Claims 3 through 5 and 11 through 13

The inventions relating to claims 3 through 5 and 11 through 13 do not appear to involve an inventive step based on documents 1 through 4 cited in the ISR. Documents 3 and 4 describe a pedestrian navigation device comprising vibration means for generating guide information, having technical means employing vibration cycle and degree of vibration as a vibration pattern; therefore, applying the present technical means to vibration means described in document 1 could be easily conceived of by a party skilled in the art.

Claim 6

The invention relating to claim 6 does not appear to involve an inventive step based on documents 1 through 4 cited in the ISR. Documents 1 and 2 describe using a cell phone as a pedestrian navigation device.

Claim 7

The invention relating to claim 7 does not appear to involve an inventive step based on documents 1 through 3 and document 5 cited in the ISR. Document 1 (paragraph 0053) describes receiving induction information from a navigation server, and document 5 (paragraphs 0032 through 0033) describes the technical idea of downloading a guide information pattern from a server; therefore, configuring a device so as to download a vibration pattern serving as a guide information pattern based on the present technical idea and the descriptions in documents 1 and 3 could be easily conceived of by a party skilled in the art.

Claim 8

The invention relating to claim 8 does not appear to involve an inventive step based on documents 1 through 5 cited in the ISR. Documents 1 through 3 describe using a network, and using the Internet and an intranet as a network is common technical knowledge.

Claims 14 and 15

The inventions relating to claims 14 and 15 do not appear to involve an inventive step based on documents 1 through 4 cited in the ISR. Documents 1 and 2 describe using a cell phone as a pedestrian navigation device.

Claims 16 and 22

The inventions relating to claims 16 and 22 do not appear to involve an inventive step based on documents 1, 2 and 3 cited in the ISR. Document 1 does not disclose technical means such as map information storage means for storing map information received from a server providing navigation information, and vibration means for generating guide vibration. However, document 2 describes a pedestrian navigation device comprising technical means for storing map information received from a server providing navigation information, and document 3 describes technical means for outputting guide information by vibration. The inventions of documents 1 through 3 belong to closely related technical fields; therefore, applying technical means described in document 2 and technical means described in document 3 respectively to map storage means and vibration means described in document 1 could be easily conceived of by a party skilled in the art.

Supplemental Box
Continuation of Box V.2:

Claims 17, 18 and 23 through 25

The inventions relating to claims 17, 18 and 23 through 25 do not appear to involve an inventive step based on documents 1 through 3 and 6 cited in the ISR. Document 1 does not disclose technical means such as map information storage means for storing map information received from a server providing navigation information and vibration means for generating guide vibration. However, document 2 describes a pedestrian navigation device comprising technical means for storing map information received from a server providing navigation information. Also, document 3 describes technical means for outputting guide information by vibration, and document 6 describes technical means for outputting guide sound by delaying for a prescribed time after guide vibration was generated. Documents 1 through 3 and 6 all belong to closely related technical fields; therefore, applying technical means described in documents 2, 3 and 6 respectively to the invention of document 1 could easily conceived of by a party skilled in the art.

Claim 19

The invention relating to claim 19 does not appear to involve an inventive step based on documents 1 through 3 and document 6 cited in the ISR. Documents 1 through 3 describe using a network.

Claim 20

The invention relating to claim 20 does not appear to involve an inventive step based on documents 1 through 6 cited in the ISR. Document 1 (paragraph 0053) describes receiving induction information from a navigation server, and document 5 (paragraphs 0032 through 0033) describes technical means for downloading a sound pattern from a server; therefore, configuring a device so as to download a sound pattern based on the present technical means and the description in document 1 could be easily conceived of by a party skilled in the art.

Claim 21

The invention relating to claim 21 does not appear to involve an inventive step based on documents 1 through 6 cited in the ISR. Documents 1 through 3 describe using a network, and using the Internet and an intranet as a network is technical common sense.

Claims 26 and 27

The inventions relating to claims 26 and 27 do not appear to involve an inventive step based on documents 1 through 6 cited in the ISR. Documents 1 and 2 describe using a cell phone as a pedestrian navigation device.